

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

IN RE:	§	
	§	CASE No. 23-10164-smr
ASTRALABS, INC.	§	
	§	CHAPTER 7
DEBTOR.	§	
	§	

MOVANTS' STIPULATION OF DISMISSAL

COME NOW Thomas Dolezal, Matthew Kelly, and Casey Melcher (“the Creditors”) by and through their undersigned counsel and hereby file this *Stipulation of Dismissal* of their *Motion to Reconsider Order Converting Case to one under Chapter 7* [Doc#104]. The United States Trustee filed a response [Doc#114] and has signed below, via counsel, that he stipulates to dismissal and that such dismissal is without prejudice to refiling. The Motion has not been previously dismissed. Pursuant to Fed. R. Civ. Pro. 41 made applicable by Fed. R. Bankr. Pro. 7041, after the filing of an answer to an adversary or response to a motion, the Plaintiff or Movant may dismiss an action without a court order by filing a stipulation of dismissal signed by all parties who have appeared in the proceeding. Fed. R. Bankr. Pro. 7041(a)(1)(A)(ii).¹ Such dismissal is without prejudice unless the notice states otherwise or the action has been previously dismissed.

¹ This provision is applicable to both adversaries and contested matters. 10 Collier on Bankruptcy P 7041.02

Respectfully submitted,

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By /s/ Stephen Sather
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AGREED:

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UNITED STATES TRUSTEE REGION 7
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CERTIFICATE OF SERVICE

The below-signed certifies that the foregoing Notice of Dismissal was served via CM-ECF on all parties listed below.

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